

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JEFFREY SMITH,
Plaintiff,

v.

CDM CORP.,
Defendant.

CIVIL ACTION NO. 04-11944NMG

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)

The parties submit this Joint Statement Regarding Pretrial Schedule pursuant to Local Rule 16.1 of the United States District Court for the District of Massachusetts and the Court's Notice of Scheduling Conference. The parties agree and request that the Court approve the following Proposed Pretrial Schedule and Discovery Plan:

Proposed Pretrial Schedule and Discovery Plan

May 15, 2005	Initial Disclosures
July 15, 2005	Status Conference
October 1, 2005	Plaintiff to disclose his experts and expert reports
December 1, 2005	Defendant to disclose its experts and expert reports
December 31, 2005	Deadline for completion of all fact discovery, including requests for production of documents, interrogatories and depositions
February 15, 2006	Deadline for filing dispositive motions, if either party determines that such a motion is appropriate. A moving party may file a reply to the opposition of the responding party.
April, 2006	Trial Ready

SETTLEMENT

Defendant has received a written settlement demand from Plaintiff's counsel, in accordance with Local Rule 16.1.

CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

The parties affirm that they have conferred with their clients with a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation, and to consider the resolution of this action through alternative dispute procedures, such as those outlined in Local Rule 16.4. Certifications required by Local Rule 16.1(D)(3) shall be filed separately.

TRIAL BEFORE A MAGISTRATE JUDGE

The parties do not consent at this time to a trial before a Magistrate Judge.

WHEREFORE, Plaintiff and Defendant respectfully request that the Court approve their Proposed Pretrial Schedule and Discovery Plan, with such amendments as the Court deems just and proper.

Respectfully submitted,

JEFFREY SMITH,
By his attorney,

CDM CORPORATION
By its attorneys,

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Dated: April 8, 2005